

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR RESOURCES**

**AIR POLLUTION CONTROL REGULATION NO. 6**

**CONTINUOUS EMISSIONS MONITORS**



*Effective: 2 August 1967*

*Last Amended: 19 July 2007*

**AUTHORITY:** These regulations are authorized pursuant to R.I. Gen. Laws § 42-17.1-2(s) and 23-23, as amended, and have been promulgated pursuant to the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

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**6.1 Definitions**

Unless otherwise expressly defined in this section, the terms used in this regulation shall be defined by reference to the Rhode Island Air Pollution Control General Definitions Regulation.. As used in this regulation the following terms shall, where the context permits, be construed as follows:

- 6.1.1 **"Opacity monitor"** means a photoelectric smoke detector which is permanently installed in breeching or stack.

**6.2 Requirements**

- 6.2.1 Stationary sources may be required to install and operate a continuous emissions monitoring system. All such systems must be approved by the Director prior to installation.
- 6.2.2 The following fossil fuel fired steam or hot water generating units shall be equipped with an opacity monitor with audio alarm:
- (a) All units burning No. 6 residual oil or solid fuel.
  - (b) Units burning all other liquid fuels and having a heat input capacity of five million Btu per hour or more.
- 6.2.3 These devices shall be calibrated to sound the alarm at 20 percent opacity and operated continuously during combustion of fuel. If more than one unit is served by a single stack, this requirement may be met with a single device located to detect any visible products of combustion from each unit. The audio alarm must be located in an area where it will be heard by the operator or other person responsible for the unit(s).
- 6.2.4 Stationary sources as specified in Title 40 of CFR Part 51, Appendix P, parts 1-5, as amended, shall install, calibrate, operate, and maintain a continuous emission monitoring system in accordance with all requirements set forth or referenced therein. In addition to the minimum data requirements set forth in 40 CFR Part 51, Appendix P, parts 1-5, such subject stationary sources shall record and report the total process operating time of the equipment for each calendar quarter to the Office

of Air Resources.

- 6.2.5 The Department shall use the resulting CEM data to determine compliance with applicable emission limits and/or operating and maintenance requirements. The data required to be collected by this regulation must be kept for at least two years and may be used either directly or indirectly for compliance determinations or any purpose deemed appropriate by the Department.
- 6.2.6 The monitoring and recording required by 6.2.4 of this regulation shall begin 18 months from the effective date of this regulation.

### **6.3 Exemptions**

- 6.3.1 This regulation does not apply to private residences.
- 6.3.2 Sources as specified in paragraphs 1.2.1 through 1.2.3 of 40 CFR Part 51 Appendix P are exempt from these monitoring requirements.

### **6.4 General Provisions**

#### **6.4.1 Purpose**

The purpose of this regulation is to specify the requirements for continuous emissions monitors for opacity at stationary sources.

#### **6.4.2 Authority**

These regulations are authorized pursuant to R.I. Gen. Laws § 42-17.1-2(s) and 23-23, as amended, and have been promulgated pursuant to the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35

#### **6.4.3 Application**

The terms and provisions of this regulation shall be liberally construed to permit the Department to effectuate the purposes of state law, goals and policies.

#### **6.4.4 Severability**

If any provision of this regulation or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulation shall not be affected thereby.

#### 6.4.5 Effective Date

The foregoing regulation, "Continuous Emissions Monitors", as amended, after due notice, is hereby adopted and filed with the Secretary of State this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to become effective twenty (20) days thereafter, in accordance with the provisions of Chapters 23-23, 42-35, 42-17.1, 42-17.6, of the General Laws of Rhode Island of 1956, as amended.

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W. Michael Sullivan, PhD., Director  
Department of Environmental Management

**Notice Given on: February 21, 2007**

**Public Hearing held: March 23, 2007**

**Filing Date: June 29, 2007**

**Effective Date: July 19, 2007**